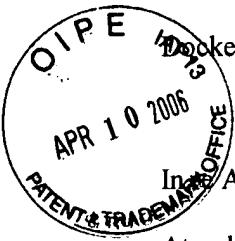


ITSW



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atsushi NISHIMURA, et al.

Application No.: 10/830,134

Filed: April 23, 2004

For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME

: Customer Number: 20277

: Confirmation Number: 7438

: Group Art Unit: 2826

: Examiner: SODERHOLM, Krista Z.

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of March 13, 2006 wherein restriction has been required, Applicant hereby elects Group II (claims 12-15) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

Please recognize our Customer No. 20277 as
our correspondence address.

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Date: April 10, 2006